

REMARKS/ARGUMENTS

Applicant respectfully request reconsideration of the application in light of the amendments and remarks presented herein. Claims 1-36 are pending in the application. Claims 1, 15-18, 21, 23, 25 and 30 have been amended to better define the invention. New claims 35 and 36 have been added to present additional aspects of the invention. Claims 16 and 21 have been cancelled without prejudice or disclaimer.

Request for Confirmation of Entry

In the response to an Ex Parte Quayle action, Applicant amended the specification to overcome an objection to the Drawings in the response dated December 5, 2008. Applicant notes that the heading for the PAIR entry of March 20, 2009 indicates this amendment was not entered. However, the scanned paper associated with this entry includes the annotation "OK TO ENTER: /PW/." Applicant would appreciate if the Examiner would confirm that the Amendment to the Specification dated December 5, 2008 was indeed entered into the record, and whether this amendment was sufficient to overcome the objection to the Drawings.

Allowable Subject Matter

In the outstanding Office Action, the Examiner indicated that claims 15-20, 22 and 23 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form. Claim 15 has been rewritten into independent form and is thus allowable. Applicant thanks the Examiner for the indication of allowable subject matter.

Claim Rejections Under 35 U.S.C. §103

Claims 1-14, 21 and 24-34 stand as being rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Pat. No. 6,690,657 to Lau et al. (hereinafter "Lau").

Applicant has amended independent claim 1 to incorporate the allowed subject matter of claim 16, and has amended independent claim 21 to incorporate the allowable subject matter of claim 22. Claims 25 and 30 have been amended to incorporate subject matter related to allowable claim 16. Accordingly, independent claims 1, 21, 25 and 30 are thus allowable, and Applicant respectfully requests that the rejection of these claims be withdrawn. Claims depending therefrom are allowable at least by virtue of their dependency.

Regarding claim 24, Applicant respectfully submits Lau fails to teach or suggest, at least, "transmitting a test signal on the second frequency channel and monitoring the first frequency channel; and ... reducing a power level associated with the test signal to determine a transmission level preventing a feedback loop with the other repeater, and setting the repeater to transmit at the determined level," as recited in claim 1 (emphasis added).

The Examiner cited the following excerpts of Lau in support of the rejection.

In some networks, it may be desirable to have a repeater "re-use" a channel, e.g., CHI, if that repeater does not overlap coverage areas with the original user of CHI and its recipients. Because re-use may create feedback, this method of operation should be carefully deployed, preferably with "smart" repeaters that can communicate with the base station to test for feedback during configuration.
(See col. 6, lines 25-31.)

If the T/R modules served by a repeater do not require full repeater power to receive accurate signals, control circuit 166 can reduce transmit power, thereby reducing the potential for interference, and possibly allowing channel re-use elsewhere in the network.
(See col. 8, lines 60-62.)

Applicant submits that Lau merely teaches that the repeaters may communicate to test for feedback during configuration, and that the transmit/receive modules may reduce

power to mitigate interference, thus allowing channel reuse. However, Lau is silent with respect to using the test signal for reducing the power level for setting a transmission level which avoids a feedback loop.

Instead, Lau uses the following method for controlling power:

Another difference in repeater 140 is that control circuit 166 maintains a control link 170 with the network base station. This allows the base station to configure the repeating network, e.g., define the receive and transmit channels for each repeater. Output amplifier 164 also has controllable output power, which control circuit 166 can adjust in response to commands from the base station.
(See col. 8, lines 50-57.)

From the above, it is clear that Lau merely teaches using a control link 170 with the base station for providing commands that adjust power, which is distinguished from “transmitting a test signal ...” as recited in claim 24.

Accordingly, Applicant requests that the Examiner withdraw the rejection of claim 24.

CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated

June 22, 2009

Respectfully submitted,

By:



Linda G. Gunderson, Ph.D.
Attorney for Applicants
Reg. No. 46,341

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-7351
Facsimile: (858) 651-1003